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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,514	10/03/2003	Hugh William Adams JR.	YOR920000754US3	1909

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EXAMINER	
MANCHO, RONNIE M	
ART UNIT	**PAPER NUMBER**
3663	
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11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	**Application No.** 10/678,514	**Applicant(s)** ADAMS ET AL.	
	Examiner Ronnie Mancho	**Art Unit** 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2007*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-13* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. In view of the appeal brief filed on 8/13/07, PROSECUTION IS HEREBY REOPENED. set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

Any inconvenience to the applicant is regretted

JACK KEITH
SUPERVISORY PATENT EXAMINER

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Obradovich et al (6148261).

Regarding claim 1, Obradovich et al (cols. 10 and 11) disclose a position detection device (20, figs. 1&2; col. 7, lines 13-43), comprising:

one or more memories (22, 23; figs. 3&4; col. 7, lines 64+) that store a set of position points (col. 11, lines 48-61) defining assigned respective locations within one or more physical areas;

a communication interface (29E, 29F, fig. 2) for communicating with one or more signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44), wherein each of said one or more signal sources is located at one of the assigned locations (such as position of a restaurant, bank, shopping center, etc; col. 13, line 60 to col. 14, line 44; col. 16, lines 24-53; fig. 15) proximate to the position detection device (20, fig. 15), each of the signal sources (data provider such as a bank, restaurant, shopping center) comprising at least one wireless identification tag (GPS; col. 11, lines 28-67) that is stimulated by at least one signal sent from the communication interface (29E, 29F, fig. 2) and that returns the information to the communication interface (29E, 29F, fig. 2; col. 13, lines 60 to col. 14, line 44);

a path process (fig. 15; col. 16, lines 14-44) that defines one or more paths connecting one or more of the position points (waypoints, col. 13, line 60 to col. 14, line 44) in response to a user query, the path process further accessing the information from one or more of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, lines 60 to col. 14, line 44) to determine a progress of the position detection device through the physical area as defined by the path (col. 16, lines 24-53); and an interface (display 28, 30, fig. 2; col.10, lines 60 to col. 11, lines 5) that communicates the progress of the position detection device through the physical area to the user (fig. 11; col. 16, lines 24-53).

Regarding claim 2, Obradovich et al (cols. 10 and 11) disclose the device, as in claim 1, wherein the physical area includes any one or more of the following: a street, an interior of a building, a transit station, a retail store, and a town (col. 13, lines 60 to col. 14, line 44; figs. 8-11).

Regarding claim 3, Obradovich et al (cols. 10 and 11) disclose the device, as in claim 1, wherein the information includes non-position information (direction, yosemity trails, traffic, weather, etc) about the respective location.

Regarding claim 4, Obradovich et al (cols. 10 and 11) disclose the device, as in claim 3, where the non-position information includes any one or more of the following information types:

a building name, an address, a surname, a business name, a work place, a hotel, a restaurant, a civic directory, a performance program, a residence address, a directory of occupants, a set of directions to a next location, a warning, a designation of one or more obstacles, a route, a public announcement, a government notice, tourist information, and exhibit information (figs. 8-11).

Regarding claim 5, Obradovich et al (cols. 10 and 11) disclose the device as in claim 1, wherein the interface further comprises a tactile map interface that updates (col. 11, lines 51-67) a tactile map to indicate a current user position and at least one direction to a destination (figs. 8&11).

Regarding claim 6, Obradovich et al (cols. 10 and 11) disclose the device as in claim 5, wherein the interface further comprises a speech synthesis module that converts the progress from text to audio (col. 8, lines 18+).

Regarding claim 7, Obradovich et al (cols. 13, 14, 15) disclose a method for determining a position of a user comprising the steps of:

storing in a memory (22, 23; figs. 3&4; col. 7, lines 64+) a set of position points (col. 16, lines 24-53) defining assigned locations within one or more physical areas (col. 13, line 60 to col. 14, line 44);

communicating with one or more signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) located at one or more of the assigned locations (such as position of a restaurant, bank, shopping center, etc; col. 13, line 60 to col. 14, line 44; col. 16, lines 24-53; fig. 15) proximate to a position detection device (20; fig. 15), each of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) having information about the respective assigned location (waypoints or distance to the position of a data provider such as position of a restaurant, bank, shopping center, etc; col. 13, line 60 to col. 14, line 44; col. 16, lines 24-53; fig. 15), each of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) comprising at least one radio frequency identification tag (GPS unit; col. 11, lines 28-67) stimulated by at least one signal sent from a communication interface (29E, 29F, fig. 2) and that returns the information to the communication interface (29E, 29F, fig. 2; col. 13, line 60 to col. 14, line 44);

defining one or more paths (fig. 15; col. 16, lines 14-44) connecting one or more of the position points (col. 16, lines 24-53) in response to a user query (col. 13, line 60 to col. 14, line 44);

accessing the information from one or more of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) to determine a progress of the position detection device 20 through the physical area as defined by the path (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44); and

communicating the progress of the position detection device (20; fig. 15) through the physical area to the user (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44).

Regarding claim 8, Obradovich et al (cols. 10 and 11) disclose the method as in claim 7, wherein the step of communicating further comprises the step of updating a tactile map to indicate a current user position and at least one direction to a destination.

Regarding claim 9, Obradovich et al (cols. 10 and 11) disclose the method as in claim 8, wherein the step of communicating further comprises the step of converting the progress from text to audio.

Regarding claim 10, Obradovich et al (cols. 10, 11, 13, 14, 16) disclose a system for determining a position of a user comprising:

means (27D; fig. 2) for storing in a memory (22, 23; figs. 3&4; col. 7, lines 64+) a set of position points (col. 16, lines 24-53) defining assigned respective locations (waypoints or distance to the position of a data provider such as position of a restaurant, bank, shopping center, etc; col. 13, line 60 to col. 14, line 44; col. 16, lines 24-53; fig. 15) within one or more physical areas (col. 13, line 60 to col. 14, line 44);

means (29E, 29F, fig. 2; col. 13, line 60 to col. 14, line 44) for communicating with one or more signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) located at one of the respective locations (waypoints or distance to the position of a data provider such as position of a restaurant, bank, shopping center, etc; col. 13, line 60 to col. 14, line 44; col. 16, lines 24-53; fig. 15) proximate to a position detection device (20), each of the signal sources (20, figs. 1&2) having information about the respective location, each of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) comprising at least one radio frequency wireless identification tag (GPS unit) stimulated by at least one signal sent from a communication interface ((29E, 29F, fig. 2; col. 13, line 60 to col. 14, line 44) and that returns the information to the communication interface (29E, 29F, fig. 2; col. 13, line 60 to col. 14, line 44);

means (display, fig. 15) for defining one or more paths connecting one or more of the position points in response to a user query (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44);

means 26 (fig. 2) for accessing the information from one or more of the signal sources (data provider such as a bank, restaurant, shopping center; col. 13, line 60 to col. 14, line 44) to determine a progress of the position detection device 20 through the physical area as defined by the path (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44); and

means 28, 30 (figs. 1, 15) for communicating the progress through the physical area to the user (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44).

Regarding claim 11, Obradovich et al (cols. 10, 11, 13, 14, 16) disclose the system as in claim 10, wherein the means for communicating further comprises a means for updating a tactile map (col. 13, line 60 to col. 14, line 44; col. 16, lines 14-44 to indicate a current user position and directions to a destination.

Regarding claim 12, Obradovich et al (cols. 10 and 11) disclose the method as in claim 11, wherein the means for communicating further comprises means for converting the progress from text to audio (col. 8, lines 18+).

Regarding claim 13, Obradovich et al (cols. 10 and 11) disclose the device as in claim 1, wherein the wireless identification tag includes any one or more of the following: a radio frequency transmitter, an infrared transmitter, and a radio frequency identification tag (col. 10&11).

Response to Arguments

4. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571-272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronnie Mancho
Examiner
Art Unit 3663

11/9/2007

JACK KEITH
SUPERVISORY PATENT EXAMINER